

Remarks

Applicants acknowledge receipt of the Board of Patent Appeals and Interferences, which affirms the final rejection of Claims 1-3, 7, 9-13, and 17-20 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,636,505 is issued to Wang (Wang), and the final rejection of Claims 4-6, 8, and 14-16 under 35 U.S.C. §103 as being unpatentable over Wang in view of U.S. Patent No. 6,684,242 is issued to Bahlmann (Bahlmann). In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner's reconsideration and reexamination of all pending claims.

Independent Claims 1 and 11 have been substantially amended to recite features that are not taught or fairly suggested in Wang. Specifically, independent Claim 1 has been amended to recite:

- upgrading the broadband communication network to extend broadband service boundaries into a new geographic location;
- updating the database to include a plurality of physical locations within the new geographic area;
- accessing the database to determine whether said physical location falls within the extended service boundaries for said broadband communication network;

The foregoing limitations added by amendment to independent Claim 1 can find example support on page 6, line 4- page 7, line 11. The foregoing limitations are not taught or fairly suggested in the cited sections of Wang. Accordingly, Applicants assert that independent Claim 1 is patentably distinguishable.

Independent Claim 11 has been amended to recite:

- in response to such order to remotely qualify said personal computer to use one of several different services offered on said broadband communication network by determining whether said personal computer meets predetermined acceptance criteria to use the one of the

several different services offered on said broadband communication network... and to fulfill said order by initiating an automation agent on said personal computer to configure a modem coupled to said personal computer to use the one of the several different services...

The foregoing limitations added by amendment to independent Claim 11 find example support on page 8, lines 7 - 15 can find example support on page 6, line 4- page 7, line 11. Applicants have reviewed the cited sections of Wang and can find no teaching or fair suggestion that several different services are offered to a remote computer system, let alone a teaching or fair suggestion of determining whether the remote computer system meets predetermined acceptance criteria to use the one of the several different services offered on the broadband communication network. As such, Applicants assert that independent Claim 1 is patentably distinguishable over the cited sections of Wang.

The remaining claims depend directly or indirectly from independent Claims 1 and 11. Insofar as independent Claims 1 and 11 have been shown to be patentably distinguishable, it follows that the remaining claims are likewise patentably distinguishable.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,



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